



Courts Statewide Seek Relief For Growing Security Concerns

Editor's Note: Usually a sanctuary for the peaceful resolution of disputes, courts in recent years have also become theaters where occasionally tragic dramas unfold. This two-part series examines some of the problems that give rise to court security concerns and measures that the courts are taking to keep themselves and the public secure. Part I looks at security concerns generally and discusses how the courts are attempting to cope despite limited funding, as well as offers advice on how they can be prepared. In the November-December issue, Part II will review issues related to natural disasters.

December 22, 1994—After being issued a “mutual stay-away order,” two men involved in a domestic dispute leave an Alameda County courtroom. On the street, one shoots the other; the wounded man drags himself back to the courtroom, and the



The Santa Clara County Hall of Justice in San Jose is a model for the delivery of court security services. Photos courtesy of the Santa Clara County Sheriff's Department.

other man is arrested.

September 14, 1995—The Contra Costa courts are the target of an arsonist, who sets two fires at the Mount Diablo Municipal Court in Concord and one at the Contra Costa County Superior Court in Martinez during the predawn hours. An earlier fire,

on August 28, at the Walnut Creek-Danville Municipal Court, displaced three judges and a commissioner.

May 7, 1996—A couple involved in a child custody dispute are killed when the husband opens fire on his common-law wife outside the doors of River-

side's family law court and county deputies shoot the man. A bystander receives a leg injury from the gunfire.

January 31, 1997—At about 3:30 a.m., an explosion shatters 22 windows in the Solano County courthouse in Vallejo and numer-

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Courts today must deal with litigants willing to act out, often violently, their frustration against the justice system.

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Courts, Community Leaders to Meet for Planning Conference

“[In 2020] judges are community leaders; they view community education about justice as an important aspect of their jobs. The public is actively involved in the monitoring, improvement, and governance of the justice system.”

—“Public Trust and Understanding,” Chapter 5, in *Justice in the Balance—2020: Report of the Commission on the Future of the California Courts (January 1994) p. 81.*

The scenario painted by the Commission on the Future of the California Courts for the year 2020 will be one step closer to realization with California's first Statewide Community-Focused Court Planning Conference in 1998.

Scheduled for May 13–15 in Long Beach, the Judicial Council-sponsored conference will bring together teams of court, bar, local government, and community leaders from each of California's 58 counties for the unique opportunity to focus on local court action planning with an emphasis on com-

munity involvement. A total of 425 persons is expected to attend.

The conference will be a significant event for planning and community outreach, furthering the council's pledge in 1995 to “provide assistance to the courts in developing action plans that are consistent with the council strategic plan and that address local needs and priorities.” In April, the council established the Special Task Force on Court/Community Outreach to lead its efforts to encourage increased collaboration between

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Trial Court Funding Passes

On September 13, the Legislature approved the landmark Lockyer-Isenberg Trial Court Funding Act of 1997 that restructures the beleaguered trial court funding system.

“Obtaining a stable and adequate source of funding for our courts is without doubt one of the most important reforms in the California justice system in the 20th century,” said Chief Justice Ronald M. George.

● The Administrative Office of the Courts has prepared the *Special Report on Trial Court Funding* and distributed it to courts throughout the state. For copies, call the Publications Hotline, 415-904-5980 (CALNET 8-539-5980) or 800-900-5980 (within California).



Judge Judith McConnell

Planning Conference

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the courts and their communities and the development of community-focused courts (see Court News, April-May 1997, "Spotlight on Court Community Outreach," page 1).

STEERING COMMITTEE

In appointing the conference steering committee in July, Chief Justice Ronald M. George said, "I am personally committed to improving the public's understanding about and support for the California courts. One of the important ways we can achieve those objectives is to successfully

complete the Statewide Community-Focused Court Planning Conference."

San Diego County Superior Court Judge Judith McConnell chairs the committee. Members represent the breadth and depth of experience, perspective, and expertise essential to the event's success; collectively, they have worked with communities and community-focused courts and strategic planning at every level of the state court system (see box, this page).

CONFERENCE PURPOSE

The conference goal is to give team members the skills to commence, implement, and institutionalize community-focused court planning in their home counties. The conference is designed to:

- help the courts develop closer working relationships with the legal community and the public;
- establish local action-planning processes in the courts;
- provide education on effective strategic and action-planning methods; and
- expose court and other leaders to creative model programs from around California and other states.

Among its responsibilities, the steering committee will develop the conference curriculum, oversee the process of collecting local court plans, and develop methods to forge a strong link between planning and budget development.

Following the steering committee's first meeting in September, notice of the conference and suggestions for formation of county teams will be distributed to the presiding judges and court administrators of the trial courts.

● Contact: Shelley M. Stump, Planning Coordinator, Administrative Office of the Courts, 303 Second Street, South Tower, San Francisco, CA 94107, 415-396-9310 (CALNET 8-531-9310). ■

At the Conference Helm

Besides San Diego County Superior Court Judge Judith McConnell, chair, members of the Statewide Community-Focused Court Planning Conference Steering Committee are:

- Justice Kathryn M. Werdegare, Supreme Court
- Judge Kathleen E. O'Leary, Orange County Superior Court
- Justice Arthur G. Scotland of the Court of Appeal, Third Appellate District (Sacramento)
- Roger K. Warren, President, National Center for State Courts
- Judge Douglas P. Miller, Desert Municipal Court (Riverside)
- Judge Rudolph R. "Barry" Loncke, Sacramento Superior and Municipal Courts
- Earl S. Bradley, Court Administrator, Newhall Municipal Court (Los Angeles)
- Assistant Presiding Judge Veronica S. McBeth, Los Angeles Municipal Court
- Jose O. Guillen, Executive Officer, Napa County Consolidated Courts
- Mary Jane Burke, Marin County Superintendent of Schools
- Martha Jimenez, Regional Counsel, Mexican American Legal Defense and Educational Fund (MALDEF)
- Ernest "Chuck" Ayala, Chair, State Legislative Committee, American Association of Retired Persons
- Mary Hernandez, Executive Director, National Hispanic Bar Association, San Francisco
- Frederick "Fritz" Ohlrich, Court Administrator, Los Angeles Municipal Court
- Steven A. Nissen, Executive Director, Public Counsel, Los Angeles



Security Concerns

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ous windows in businesses across the street. Later that day, another bomb threat is made, this time to the main Solano County courthouse in Fairfield, 15 miles away.

No less than other public institutions, the courts have been the setting for and, increasingly in recent years, the target of people's growing anger and frustration.

"Dissatisfaction with the administration of justice is as old as law," wrote Roscoe Pound, founder of 20th century American sociology of law and progenitor of modern court management, back in 1906.

Whether the degree of dissatisfaction then was as high as it is now is unknown, but anecdotal evidence indicates that to-

day's dissatisfied litigants are more than willing to act out, often violently, their frustration against the justice system. The courts are ultimately where issues of right and wrong find resolution in our society, and too often they are perceived as the last resort for settling disputes that may stem from societal problems not being resolved in other venues.

INCREASING VIOLENCE

The results of a National Sheriff's Association survey of court security incidents in 1991, the most recent year for which statistics are available, showed that most incidents occurred in criminal court. The same survey revealed a large number of incidents arising from domestic relations cases, many involving violence or threats of violence against ex-spouses, attorneys, and the court.

Lately, however, anecdotal evidence indicates a shift. "There is a growing violence in the courts and a greater number of incidents in family courts than before," observes Sergeant Jack Gregory of the Fresno County Sheriff's Department, liaison to the California State Sheriffs' Association (CSSA) Court Security Committee.

"I do believe that family law and juvenile law pose more of a threat to safety than even criminal or civil matters because of the high degree of emotionalism involving families and children," says Presiding Judge Peter L. Spinetta of the Coordinated Trial Courts of Contra Costa County. "In the case of juvenile matters, I think [the threat to security] is because of gang-related issues



Security staff in the Santa Clara Hall of Justice regularly monitor cameras in courtrooms and strategic areas. They can also select specific courtrooms and areas to view.

that come before the court, and we seem to be experiencing more gang-related matters."

Although the Contra Costa courts have experienced "very few incidents" relative to the amount of business its 16 facilities conduct, Judge Spinetta notes that those few have been violent. Since 1980, three separate killings, all related to family law cases, have occurred. In July, death threats against three family law judicial officers prompted the judge to order the Sheriff's Department to provide extra deputies using metal detectors for screening people entering the three family law courtrooms. Immediate measures were necessary, says Judge Spinetta, because "the number-one requirement is to ensure

that people [in court] can conduct their business safely."

AWARENESS KEY

"The first step in providing a safe court environment is a heightened awareness of all appropriate agencies to ensure the safety of everyone involved in the judicial process," says Sergeant Gregory.

Indeed, the growing awareness of security concerns is evidenced by courts' demands for more funding in this area. In fact, requests for security are second only to funding requests for the category "all other court operations," which includes staffing and office expenses, according to the Trial Court Budget Commission (TCBC), which is responsible for budget build-

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Take Note

The International Association of Court Officers and Services, Inc., an affiliated membership program of the National Sheriffs' Association, offers information and re-

sources on emerging issues in court operations and services, court security issues, and the transportation of prisoners, among others.

● Contact: Edward W. Keyton, Project Director, International Association of Court Officers and Services, Inc., National Sheriffs' Association, 1450 Duke Street, Suite 208, Alexandria, VA 22314-3490, 800-424-7827, e-mail: nsamail@sheriffs.org.

How Safe Are You? 10 Steps to Prepare

Security is usually measured by its failures and not very often by its success," says Sergeant Jack Gregory of the Fresno County Sheriff's Department.

While no court system is immune to security problems or violence, courts can prepare for potential violence and, with good planning, prevent it or minimize injury and damage.

Some advice for courts appears below, provided by Sergeant Gregory; Don Tamm, Senior Security Coordinator for the Administrative Office of the Courts; the National Sheriffs' Association's publication *Court Security and the Transportation of Prisoners: A National Study*; and the National Association for Court Management's *Court Security Guide*.

1 Judicial support: The support of all judicial officers is critical to the successful implementation of any security procedure. The presiding judge may establish a security committee, if necessary; however, just emphasizing the importance of security to judges, staff, the bar, and the public will encourage their cooperation when the court introduces new security measures or is performing maintenance on its existing security system.

2 Security survey: Conduct a comprehensive survey of the court system and individual facilities within the system to determine security vulnerabilities and equipment and training needs. The survey will help identify the potential for loss; injury to personnel, visitors, and guests; and damage to property.

3 Security plan: Develop a security plan for either the entire court system or individual facilities within the system, bearing in mind the need to balance physical security needs with the operation of the courts. To the maximum extent possible, the physical security system should not interfere with the activities of the court being protected. Continually monitor and update the security plan.

4 Written policy and procedures: Develop a clearly written policy and procedures manual and update it periodically. A written security policy is important because it reduces the possibility of misinterpretation and error. A useful teaching tool, it provides a framework for detailed procedures and should include a procedures checklist for security personnel to use with judicial officers and court staff.

5 Security personnel and training: Provide periodic training to security personnel as part of their job. Strict criteria for the qualifications, training, duties, and continuing education of bailiffs and court security officers should be in place; these practices emphasize the importance of having full-time professionals in security positions. Providing security should not be a secondary job.

6 Equipment and technology: Security personnel should know about and be prepared to use state-of-the-art equipment, from hand-held or walk-through magnetometers to various alarm systems. Remember, however, that equipment alone is not the solution to a security problem. At best, it can support trained personnel and a well-prepared plan.

7 Risk assessment: Have in place a sound method to find out what's going on in the court, assessing the risk levels of all hearings and trials to determine what level of security to provide. Providing the correct level of security for specific judicial proceedings ensures that security personnel will be prepared. It also helps keep costs down by increasing security when it may be the most needed and decreasing it when it is not.

8 Access control: Maintain adequate physical control of the facility. For example, if the building is shared, know who supervises elevator services in the facility and who is responsible for locking up, patrolling the exterior perimeter of the court, and supervising and scanning mail and packages entering the judicial or court facility.

9 Communication and cooperation: Court security is not the responsibility of a single individual or agency; it should be everyone's goal. Develop and maintain good communications with your colleagues so that everyone is familiar with security policy. Establish a liaison with other governmental agencies involved in the court system, such as sheriffs and marshals, as well as court staff, bar groups, and persons providing janitorial services.

10 Resources: Familiarize yourself with the resources that are available to assist with and improve security. Know where you can borrow equipment for use in an emergency through mutual aid. Take advantage of opportunities to get good rates for security equipment.

Security Concerns

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ing and allocation for the courts statewide.

In a statewide survey conducted under the auspices of the CSSA and the California State Marshals' Association in 1995 for the TCBC, findings revealed:

❑ Of the 240 court facilities covered by the survey, 173, or 72 percent, had no weapons screening service;

❑ Of the same 240 facilities, 167, or 69 percent, were multiple-use facilities housing both the courts and nonjudicial organizations; and

❑ Only 163 security employees in 48 counties were reported as assigned to perimeter security.

SECURITY MSLs

With these survey results and those of its own general survey as well as input from the courts, TCBC charged its Court Security Functional Budget Subcommittee with developing minimum service levels (MSLs) for court security, so it could objectively evaluate needs in light of limited resources.

"The goal of the subcommittee is to ensure that every courtroom has adequate security, bearing in mind that it is an incredibly expensive element of the budget," says Santa Clara County Municipal Court Judge Paul C. Cole, subcommittee chair.

To help courts define their security needs, the subcommittee organized the MSLs into two categories: (1) internal security and supervision, including courtroom security, prisoner movement and holding within the court facility, and supervision of court security personnel; and (2) perimeter control, which includes access control (weapons screening) for the court facility.

MSLs for the internal secu-

urity and supervision category specify 1.7 security FTEs (full-time equivalents) per judicial position equivalent. For the perimeter-control category, the MSLs call for providing "a method of weapons interdiction in all court facilities" and recommend two security FTEs per low-traffic-volume control station and three security FTEs per high-traffic control station, based on

REQUESTS CLIMB

The amounts courts request for court security have been remarkably and consistently high. In fiscal year 1997-98, California courts requested about \$285 million; for fiscal year 1998-99, they are seeking over \$3.5 million more. Courts ask more for security than they do in such categories as jury services, court interpreters, court-appointed

appear in court until adequate security was in place.

Although California courts are unlikely to resort to such drastic measures, neither are they likely to give up their struggle to keep from harm's way the public who enters their doors and the people who work within their walls. "Security is not solely for judges, but also for our staff and citizens who come to court, like



Persons entering the Santa Clara Hall of Justice first pass through a security screening area in the lobby.

the amount of traffic that has to be screened per control station.

"Perimeter security is not the ultimate or final answer because the behavior of persons entering courtrooms is not what it used to be," notes Judge Cole. "There is a need for security in the courtroom even if there is weapons interdiction outside; people tend to fight even in court," he observes.

The subcommittee also offered four examples of court facilities exemplifying "best practices." The four, which have used existing methods to efficiently deliver court security services, can serve as models for other similar courts (*see sidebar*).

counsel, and even information technology, according to the TCBC.

The courts justify their needs in detailed reports to the TCBC, which approves many of the funding requests. In support of security improvements, the Governor's budget has shown a growth in allocations. In fiscal year 1997-98, the budget provided for \$248.5 million, close to the \$249.9 million recommended by the TCBC. In fiscal year 1996-97, it provided for \$239.0 million, and in fiscal year 1995-96 \$217.0 million. "Not only does the judiciary think security is important, but so does the Legislature," observes Judge Cole.

Broad-based support for court security, especially if it is buttressed by actual funding, may help lower risks in the future. Not only are incidents of court-related violence growing, but the time between them is shortening, points out retired Arlington (Texas) Municipal Court Judge Richard W. Carter, author of *Court Security for Judges, Bailiffs, and Other Court Personnel*, who in 1993 predicted, "There is every reason to believe that the crisis will get worse before it gets better."

PUBLIC SAFETY FIRST

"Citizens deserve a reasonable expectation of security when they are ordered to participate in the justice system," says Dallas Judge Hal Gaither, who with his colleagues took an unusual stand after a 1992 courthouse shooting that left two dead and one bystander wounded. The judges throughout the county decided not to order any staff, witnesses, jurors, lawyers, or litigants to

those who serve on jury duty," remarks Judge Cole. "They want to feel safe in a court facility."

Meanwhile, training and awareness efforts continue. The CSSA's statewide Court Security Conference, to be held in April 1998 for judges, court administrators, and law enforcement professionals, will feature the latest in security equipment and information from experts on topics ranging from judicial protection and high-profile trials to dealing with the media and subversive groups.

Heightened awareness and preparation aside, critics suggest that people rely too much on the justice system to resolve disputes, and that resources should be available to help people resolve problems and take responsibility for their own actions. The reality, however, is that today more and more disputes of all kinds find their way to the courts. It is a poorly served public whose courts are not prepared to deal with the consequences. ■

Four Models for Delivery Of Security Services

The following are models for the delivery of court security services listed by the Trial Court Budget Commission's Court Security Functional Budget Subcommittee:

❑ South; large; new construction facility:

1. Lamoreaux Juvenile Justice Center, 341 The City Drive South, Orange
● Contact: Lt. Brian Cossairt, Division Commander, Orange County Marshal's Department (Marshal Michael S. Carona), 714-935-7858.
2. Van Nuys Branch Court, Los Angeles Municipal Court, 14400 Erwin Street Mall, Van Nuys
● Contact: Rob Quist, Deputy Court Administrator, Los Angeles Municipal Court, 213-974-6703.

❑ Midstate; large; mix of old and new facility:

3. Santa Clara County Hall of Justice, 190 and 200 West Hedding Street, San Jose
● Contact: Lt. Mike Bernal, Sheriff's Department, 408-299-3649.

❑ Midstate; older facility

4. Sonoma County Hall of Justice, 600 Administration Drive, Santa Rosa
● Contact: Lt. Mike Ferguson, Sonoma County Sheriff's Dept., 707-527-1433.



‘Real Live’ Council Members Sow Goodwill With Courts

Oh, my, the Judicial Council has actual real live people. . . . It's nice to see you're nice, friendly people."

At least one person dared to say aloud what may have been in the minds of others who met Judicial Council members during their first tour of courts in June, recalls council member Judge Melinda A. Johnson of the Ventura County Superior and Municipal Consolidated Courts.

But what may have been "friendly suspicion," as Judge Johnson describes it, soon gave way to honest exchanges and mutual respect as council members, warmly welcomed by their hosts, rolled up their sleeves to meet informally with judges and staff in the trenches of the Solano, Napa, and Marin courts.

The visits represent the council's latest effort to enhance direct communication between the members of the court system and council members. Justice Arthur G. Scotland, of the Third Appellate District (Sacramento), led the group, which included Judge Johnson, Executive Officer Ronald Overholt of the Administratively Consolidated Trial Courts of Alameda County, and Los Angeles Attorney Glenda Veasey. Accompanying the team to some courts were members of the Administrative Office of the Courts staff—Regional Court Assistance Program Representatives Francine Batchelor (Bay) and Scott Beseda (Northern), who attended as Acting Supervising Court Services Analyst, and Office of Governmental Affairs Legislative Advocate Kathleen Howard.

COURTS SET AGENDA

The pioneering visits by council members, a follow-up to each court's meeting with Chief Justice Ronald M. George, allow courts to set the agenda and bring up any questions and issues with the members. These varied from concern about the loss of local autonomy with state trial court funding to support for a statewide standard for case management systems.

For their part, council members made a pitch for judges and staff to become involved in the council and its committees and, more significantly, left with a greater knowledge of the experiences and views of the courts to draw upon as they make decisions "in the best interests of the public and the court system as a whole," as California Rules of Court, rule 1002 directs.

"The court visits provided some very valuable perspectives," Justice Scotland affirms. "Judicial Council members make policy decisions that directly affect courts throughout the state. Thus, it is important

and helpful for us to hear firsthand about the concerns of local courts and to see how they are dealing with the differing problems that bear upon their operation."

"It's very different for someone from Los Angeles County to see what the court technology needs are for, say, Nevada County," observes Attorney Veasey. "When you look at things from 30,000 feet above ground and then see them up close, the terrain is very different."

USEFUL TO COURTS

"I found [the visit] extremely useful," says Presiding Judge F. Paul Dacey, Jr., of the Solano County Consolidated Courts, who, with the courts' Executive Committee, met with the council team. "[The council members] seemed to be well prepared as to what our court was doing and the background of the judges who met with them. They were anxious to get our input on any subject matter; they were very receptive. It was not a perfunctory visit; they took it seriously."

Solano County Courts Executive Officer Charles D. Ramey remarks, "[The visit] gave the court the opportunity to express its concerns about the future and at the same time gave it the opportunity to demonstrate what has been accomplished in the last two or three years." In addition, he notes, "There was a discussion of the racial and ethnic fairness report—an open, healthy dialogue." Throughout the visit, Ramey says, "There were a lot of questions from the Judicial Council, like those you'd expect from those who worked in the courts," adding, "It was great to have good answers [for them]."

"We made connections; we were able to talk. [As a result], our judges would feel very comfortable calling council members." The visit, says Ramey, created "an environment of accessibility."

"[It] was a chance to communicate issues and concerns directly to the Judicial Council, unfiltered, and to hear from the council about policy issues and [the] status of legislation," says Marin County Courts Executive Officer John P. Montgomery. "It also gave us a chance to show off a little and [give] a tour of the court." Its unique architectural design, he says, has resulted in "unique problems in security, which was not a concern [when the building was built]."

The informality of the meeting contributed to the positive experience, observes Montgomery, who says he was impressed with the team members, who "were down to earth, engaging, and wanted to hear our experiences. They were con-

cerned with the effects of the issues and programs on judges, staff, and the people we serve."

IMPRESSIVE ACCOMPLISHMENTS

Like all the team members, Justice Scotland enjoyed the interaction with judges and staff and found the work of the courts

DIVERSE AND SIMILAR

For Veasey, the visits "highlighted the diversity of the counties and the court structures that support them." At the same time, she says, "It was interesting to see similarities and how all are grasping and dealing with similar issues, like coordinating their courts."

"Structurally, courts are becoming very similar, but each local legal culture has a little different feel," Judge Johnson observes. "We should keep reminding ourselves of that—how diverse we are, even though we may be structurally similar."



Judge John Stephen Graham of the Marin County Courts, center, was among those who met with Judicial Council member Arthur G. Scotland, left, and advisory member Ronald G. Overholt, right.

Photo: Scott Beseda.

highly commendable. "I found the visits to be a welcome opportunity to personally meet the judges and court personnel. I was particularly impressed with the great working relationships among the judges and staff of the courts we visited, and by the innovative programs they are undertaking to provide the public with an efficient and effective court system."

Judge Johnson agrees. "I

"If nothing else, the visits helped develop a much stronger sense of trust from the courts toward the Judicial Council," she speculates, once the courts experienced the council members as "interested, involved people."

Presiding Judge Dacey, for one, thought so highly of the visit that, he says, "I hope [the visits] continue," and suggests, "They should be done on a yearly basis. The Chief Justice is

"I hope [the visits] continue. They should be done on a yearly basis. The Chief Justice is to be commended for this outreach program."

—Presiding Judge F. Paul Dacey, Jr., Solano County Consolidated Courts

saw a willingness to make new ideas work—for example, in coordination. People were pretty excited, not hostile; whatever resistance that may have existed had been overcome."

"We saw a number of models for programs that could be replicated in other counties across the state if [the counties] were aware of what was being accomplished," notes Overholt, adding, "I was impressed with the frank discussions on some difficult issues." Overholt, whose meetings usually are with other court administrators and judges focusing on "administrative-type" issues, says he appreciated the visits for the "broader view" they offered.

to be commended for this outreach program."

NEXT STEP

Upon completion of the visits, the team members will share their experiences in a report to the Judicial Council's Executive and Planning Committee, including any suggestions for follow-up and improvement of the court visit program. In the coming months other council members will visit courts around the state, following in the footsteps of Chief Justice George, who in August completed the last leg of his statewide tour of courts.

● Contact: Dale Sipes, Manager, Judicial Council Services, 415-396-9111 (CALNET 8-531-9111). ■

Chief Justice Completes Historic Court Visits

"Long is the road from conception to completion."

—Molière

For Chief Justice Ronald M. George, who vowed to visit trial and appellate courts in every one of California's 58 counties, the road has been long indeed—12,437 miles to be exact. But the Chief Justice's enthusiasm and energy never flagged, and the road was paved with many positive encounters with judges and court staff eager to share their accomplishments and concerns.

It was the first time that a California Chief Justice has embarked on such a comprehensive

tour of the state's judicial system, according to court observers.

"I wanted an up-to-date view of the problems and achievements of our courts," said Chief Justice George, and what he saw impressed him. "The visits have been both informational and inspiring, and I have enjoyed encountering firsthand the wide array of talent and dedication among judges and court staff. Above all, my visits confirmed that the people of California are being well served by a deeply committed and ef-

fective judiciary and skilled and dedicated court staff."

The Chief Justice's tour began with a visit to the Los Angeles courts last August 6 and concluded this August 8. His last visits were to the trial courts in Siskiyou, Trinity, Del Norte, and Humboldt Counties and the Hoopa and Yurok Tribal Courts. It is believed to be the first time a California Chief Justice has visited a tribal court.

CRITICAL ISSUES

"Throughout my court visits, I

saw that the single most pervasive problem facing the California trial courts was the lack of stable, reliable funding," said Chief Justice George, who had made state trial court funding his top priority. "The problems caused by inadequate resources take many forms, but they most often result in reduced access to justice for the people of California."

IMPRESSIVE INNOVATIONS

"What particularly impressed me," said the Chief Justice, "was the tremendous progress and initiative courts have shown despite increased caseload demands and insufficient resources. California courts have shown remarkable creativity and dedication in developing and implementing programs that utilize existing resources."

"I was particularly struck by the fact in each court I visited that the local judges and staff have taken independent steps—often far beyond what I expected because of the scarcity of resources—to improve their ability to serve the public."

OUTREACH TO CONTINUE

As part of his outreach efforts, the Chief Justice has also met with various constituencies within the justice system, including representatives from both the plaintiffs' and defendants' civil bar and criminal defense attorneys, district attorneys, and the Attorney General's Office. In addition, he has spoken to various community groups, including the Commonwealth Club in San Francisco, a town-hall meeting in Del Mar hosted by Assembly Member Bill Morrow, and another town-hall meeting in South Central Los Angeles organized by Assembly Member Kevin Murray.

This year, members of the Judicial Council have begun visits to the California courts (see *"Real Live' Council Members Sow Goodwill With Courts,"* page 5). Chief Justice George intends to continue to reach out to and visit local courts during the coming years. ■

Fresno



Chief Justice George, Administrative Director of the Courts William C. Vickrey, and Trial Court Services Division Director Kiri Torre met with Fresno County Courts bench officers during their visit. Front row, left to right, are Commissioner Denise Whitehead, Torre, and Superior Court Judge Ralph Nunez, Chief Justice George, and Vickrey; second row, Central Valley Municipal Court Assistant Presiding Judge Anthony W. Ishii, Central Valley Municipal Court Judge James I. Aaron, Municipal Court Judge Brad R. Hill, Justice (former Superior Court Judge) Herbert I. Levy of the Fifth Appellate District, Commissioner Phillip Silva, Municipal Court Judge Jane A. Cardoza, Municipal Court Assistant Presiding Judge Vincent J. McGraw, Central Valley Municipal Court Judge Fred Dupras; back row, Municipal Court Judge John J. Gallagher, Superior Court Judge Dwayne D. Keyes, Superior Court Judge Gary R. Kerkorian, Municipal Court Judge Robert H. Oliver, Superior Court Assistant Presiding Judge Gary D. Hoff, Superior Court Judge James L. Quaschnick, Presiding Judge Stephen J. Kane, Commissioner Glenda Allen-Hill, Municipal Court Judge W. Kent Levis, Jr., Central Valley Municipal Court Judge Dennis R. Scott, Superior Court Judge Frank J. Creede, Jr., Municipal Court Judge Edward Sarkisian, Jr., Central Valley Municipal Court Judge Jane A. York, and Superior Court Judge Franklin P. Jones.

Yuba



In Yuba County, left to right, front row, Torre, Chief Justice George, and Vickrey met with, back row, Superior Court Executive Officer Margaret E. Hernandez, Municipal Court Presiding Judge James F. Dawson, Municipal Court Administrator Peggy S. Meyer, Superior Court Presiding Judge Dennis J. Buckley, Superior Court Judge Thomas F. Mathews, Superior Court Retired Judge Richard A. Schoenig, Superior Court Judge James L. Curry, and Municipal Court Judge David E. Wasilenko.

MESSAGE FROM THE JUDICIAL COUNCIL

Court Personnel Vital in Improving Customer Service

BY RONALD G. OVERHOLT, EXECUTIVE OFFICER
ADMINISTRATIVELY CONSOLIDATED TRIAL COURTS OF ALAMEDA COUNTY



Ronald G.
Overholt

"To improve [public] confidence, all of us must make the commitment to provide the highest-quality service we can, every day, to each and every person."

California trial court customers are reaping the benefits of court employee teamwork. Although organizational change takes time and financial resources, much progress has already been made throughout California to coordinate court personnel to deliver consistent and quality service to the public. Customers can more easily access and use trial court services because of more focused goals and objectives, a common vision, and integration of people and procedures in service delivery systems.

BENEFICIAL CHANGES

Mergers of court personnel, court coordination, and consolidation of services are largely responsible for this sea change in the California judicial system. Historically, court customer service has been delivered through a complex and often contradictory system of county and court organizational structures, procedures, policies, funding mechanisms, personnel, and facilities. For example, the majority of superior courts have now merged Clerk of Court personnel, formerly under County Clerks, with court personnel to minimize duplication of effort, promote a common service delivery system, and better use scarce financial and support resources. Other mergers, such as those between municipal and superior court staff, help clarify the public-service mission and increase career-ladder opportunities for court personnel. For the customer, it means better service because court personnel are better positioned to help the public with their multi-court service needs.

IMPROVING ACCESS

At the same time we have been making these organizational changes, the state judiciary has been working to enhance access, fairness, and diversity in the California court system. Community outreach by courts, as is being developed by the Judicial Council Special Task Force on Court/Community Outreach, has also been identified as a way to address these goals and thereby increase public confidence in the courts. In addition, the Trial Court Presiding Judges and Court Administrators Advisory Committees are working toward recommending a course of action on trial court performance standards.

One other important way to achieve these goals is for courts to provide customer-service training and skill development to court employees. Customer-service training programs have been instituted in a number of California courts, including the Administratively Consolidated Trial Courts (ACTC) of Alameda County. By emphasizing customer service throughout the system, the California courts can more responsively provide what the public needs and expects.

WHAT THE PUBLIC WANTS

Public-opinion surveys conducted over the past 20 years show that citizens have decreasing confidence in the judicial system. This means that courts throughout the country must do all they can to improve confidence in the judicial system. Why have courts all over America struggled to earn public trust? Some of the reasons may be:

- ❑ The courts are unique in that they have high standards of performance—they are to provide justice and fairness. The quality of service our customers experience directly affects their opinions on the fairness of the justice they receive.

- ❑ Many of our customers are often in crisis when they come to us for help, and it has become increasingly challenging to provide our services in a calm, caring, helpful, and expeditious manner. The fact that many courts now have weapons screening reminds both the public and the staff that physical risks exist in this environment where individuals are in crisis. We need more sophisticated skills when communicating with some of our customers.

- ❑ The purpose of the courts is to provide justice to all members of our society, and we are funded by taxes and fees paid for by the very people whose needs we serve. The decisions on how that money is distributed are made at the state and county levels, and what we receive is not always proportional to our ever-changing needs. Meanwhile, the public expects to receive satisfactory service at a fair price, with minimal inconvenience.

- ❑ Our society is increasingly complex, and stress has never been higher. More and more, people look to the courts to solve problems on a personal, professional, and societal level. The more the courts are utilized, the more the public expects from us.

- ❑ Our society has also become very fast paced; we are used to fast food, ATMs, and drive-through services. People want one-stop shopping, and they want it *now*. Court customers expect quicker and more efficient resolution of their issues.

- ❑ Within the courts, we too are experiencing stress as we consolidate our municipal and superior courts. This means new ways of providing services, new policies and procedures for some of us to follow, different supervisors for some employees, and different people with whom we interact to accomplish our work.

CUSTOMER SERVICE

Customer service—what customers expect from the courts—consists of the following elements, according to studies conducted by the American Bar Association:

- ❑ Prompt resolution of each case;
- ❑ Minimal personal inconveniences;
- ❑ Respect and courtesy from all court employees;
- ❑ Adequate information about what to expect;
- ❑ Assistance in understanding and using the courts;
- ❑ Information and assistance provided to them in plain English or in their first language;
- ❑ Inexpensive, or fairly priced services;
- ❑ Flexibility;
- ❑ Sense of personal caring; and
- ❑ Attention to personal amenities such as parking, disability access, seating, food, water, restrooms, safety, acoustics.

In other words, courts must provide professional and efficient service to meet customer expectations. But that's not enough. We need to improve public confidence, and that means we need to do more—we must provide top-quality customer service: we must *exceed* those expectations.

TOP-QUALITY CUSTOMER SERVICE

To improve confidence, all of us must make the commitment to provide the highest-quality service we can, every day, to each and every person. In Alameda County, we have begun by committing to our mission statement and goals and the California Court Employees Code of Ethics. By so doing, ACTC's court staff promises to provide top-quality customer service through professionalism, dedication, and fair treatment—to be efficient and accessible, to inspire public confidence and trust in our courts, and to convey the values of impartiality, equity, and fairness.

ROLE OF TRAINING

To keep our commitment to serve the public, California court employees need skills and knowledge, and the direction of the leadership of the California courts.

Effective customer-service training may help court employees meet our goals in some of the following ways:

- ❑ By learning more effective ways of communicating with external and internal customers, employees can resolve their issues more promptly and satisfactorily.

- ❑ By learning more effective methods for communicating with customers in crisis, employees can reduce the stress of the customer, others nearby, and themselves. With specific training in this area, employees will feel more confident in assisting these customers.

- ❑ In sharing concerns and learning together in the training, employees create more effective methods for serving the public and establish a support system with co-workers, supervisors, and managers.

- ❑ Customer-service training affords employees the opportunity to express their thoughts and concerns about their role in serving the public.

We in the courts provide essential and mandated services to the citizens of California; and we are the only ones who can provide them. With our abilities and the necessary training and skills, as well as the leadership and resources we deserve, we can successfully address the Judicial Council's goal of providing the public access to a fair justice that reflects the diversity of the Golden State.

● **Contact:** Jennifer Gaspar, 415-904-5965 (CALNET 8-539-5965), or Susie Viray, 415-396-9345 (CALNET 8-531-9345), Council and Legal Services.

Davis: No Fitness Hearing Required for Juvenile Strike



Judge J. Richard Couzens

Judge Couzens is a member of the Judicial Council and immediate past chair of its Criminal Law Advisory Committee.

BY PLACER COUNTY SUPERIOR COURT JUDGE J. RICHARD COUZENS

Penal Code section 1170.12(b)(3) specifies that a juvenile adjudication qualifies as a strike under the three-strikes law if (1) the juvenile was 16 or older when the offense was committed, (2) the prior offense is a crime listed in Welfare and Institutions Code section 707(b) or is a "serious" or "violent" felony, (3) the juvenile was found fit for treatment as a juvenile, and (4) the minor was adjudicated a ward of the court for a crime listed in Welfare and Institutions Code section 707(b).

In addressing the third element, *People v. Renko* (1996) 44 Cal.App.4th 620 [Fourth District] held that an actual fitness hearing was required under section 707 in order for the crime to qualify as a strike. *People v. Davis* (1996) 44 Cal.App.4th 1252 [First District] and *People v. Graham* (1997) 53 Cal.App.4th 1288 [Fifth District] held that the finding of fitness could be implied from the lack of a prosecution petition to certify the minor to adult court; no actual hearing was required. The Supreme Court granted review of all three cases. The split of authority now has been resolved; the Supreme Court affirmed the *Davis* decision (*People v. Davis* (1997) 15 Cal.4th 1096).

FITNESS IMPLIED

In writing for the majority of the court, Justice Brown noted that Welfare and Institutions Code section 707(b) requires an actual fitness hearing because, as to crimes listed in that section, unfitness is presumed unless the court determines otherwise. The three-strikes law, however, does

AT ODDS WITH LAW'S INTENT

To construe the statute as requiring an actual fitness hearing, concluded the majority, "would so severely limit those juvenile adjudications that would qualify as 'strikes,' that such a result would seem to be at odds with the intent" of the three-strikes law.



not require the filing of a petition under section 707, nor an express finding of fitness. The statute requires only that the juvenile "was found to be a fit and proper subject to be dealt with under the juvenile court law." The required finding certainly includes circumstances where there is an actual hearing and the prosecution loses its request to transfer the case to adult court; it also includes the situation where the district attorney makes no request at all to transfer the case. The court reasoned that if a 707(b) crime is prosecuted fully through juvenile court, it is reasonable to imply that the minor was "fit" for juvenile court within the meaning of the three-strikes law.

Such an interpretation arguably would also raise "a variety of constitutional challenges such as equal protection, due process and separation of powers."

Justices Mosk and Kennard sharply dissented; Justice Werdegarr joined in each dissent. Justice Mosk found that an actual fitness hearing is required by the plain meaning of the statute; such a hearing is the only vehicle for a "finding of fitness." He found the requirement of a properly filed petition and hearing to be "a kind of screening device, separating classes of juveniles—those as to whom a doubt about fitness had been raised (albeit subsequently resolved), and those as to whom such a doubt had not."

INFERENCE OF HEARING

Justice Kennard, in finding certain parallels between the language of the three-strikes law and section 707, said that there was "a strong inference" that the Legislature intended an actual fitness hearing as a prerequisite to the creation of a strike. She noted that the majority opinion, which brings all juveniles charged with 707(b) offenses within the strikes law, renders the "finding of fitness" provisions meaningless.

The appellate court opinion in *Davis* held that residential burglary, although a "serious felony" under Penal Code section 1192.7(c), was not a crime listed in Welfare and Institutions Code section 707(b). Accordingly, although the crime would meet certain requirements for a strike, it did not meet the fourth element: that the juvenile be "adjudged a ward. . . because the person committed an offense listed in" section 707(b). *People v. Graham*, supra, 53 Cal.App.4th 1288 held that the Legislature's failure to include "serious" and "violent" felonies in the "adjudication" provisions of the statute was a "drafting oversight." Accordingly, under *Graham*, juvenile residential burglaries would qualify as strikes. *Davis* left the dispute unresolved. Having determined that defendant properly was found to have suffered two other prior strikes, the Supreme Court chose to "leave this issue for another day." ■

New Members Join Judicial Council

Chief Justice Ronald M. George has appointed three new members to the Judicial Council effective September 15, 1997, for terms ending September 14, 1999. They are:

- South Bay Municipal Court (Los Angeles) Judge Benjamin Aranda III;
- Justice Carol A. Corrigan of the Court of Appeal, First Ap-

In addition, the Chief Justice reappointed Los Angeles Municipal Court Commissioner Nori Anne Walla as an advisory member to the council.

CONTINUING MEMBERS

Besides Chief Justice Ronald M. George, continuing council members are Supreme Court Justice Marvin R. Baxter; Presiding Jus-

late District, Division One (San Diego); Los Angeles County Superior Court Judge Paul Boland; Judge J. Richard Couzens of the Placer County Superior and Municipal Courts; Judge Lois Haight of the Consolidated Trial Courts of Contra Costa County; Judge Melinda A. Johnson of the Ventura County Superior and Municipal Coordinated Courts; Presiding Judge Albert Dover of the Nevada County Municipal Court; Judge Brenda Harbin-Forte of the Oakland-Piedmont-Emerlyville Municipal Court (Alameda); Tuolumne County Municipal Court Judge Eleanor Provost; Los Angeles County Superior Court Judge Kathryn D. Todd; Senator John L. Burton; Assembly Member Martha M. Escutia; Attorney Maurice L. Evans, Santa Ana; Attorney Sheldon H. Sloan, Los Angeles; Attorney Glenda Veasey, Los Angeles; and Attorney Brian C. Walsh, San Jose. Advisory members are Sheila Gonzalez, Executive Officer, Ventura County Superior and Municipal Coordinated Courts; Joseph A. Lane,

Clerk of the Court, Court of Appeal, Second Appellate District (Los Angeles); Stephen V. Love, County Clerk/Executive Officer, Santa Clara County Superior Court; and Ronald Overholt, Executive Officer, Administratively Consolidated Trial Courts of Alameda County. Orange County Superior Court Judge William F. McDonald, President of the California Judges Association, also is an advisory member; the new president will succeed him in the advisory position when elected in September.

● Contact: Secretariat and Conference Services, Judicial Council Services, Judicial Council Services, 415-396-9347 (CALNET 8-531-9347). ■



Judge Benjamin Aranda III



Justice Carol A. Corrigan

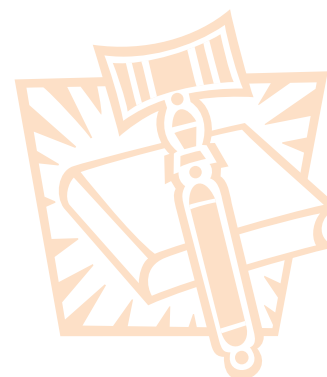


Presiding Judge Michael B. Orfield

pellate District, Division Three (San Francisco); and

- San Diego Municipal Court Presiding Judge Michael B. Orfield.

tice Roger W. Boren, Court of Appeal, Second Appellate District, Division Two (Los Angeles); Justice Richard D. Huffman, Court of Appeal, Fourth Appel-





Coordination Highlights

Comment sought on draft report on incentives

The Judicial Council at its August 22 meeting took steps to motivate courts to meet court coordination standards, particularly those that have not met the deadlines mandated in the Standards of Judicial Administration. In a unanimously passed

motion, the council agreed to:

- receive the draft *Joint Report on Trial Court Coordination Incentives* submitted by the Trial Court Coordination Advisory Committee, the Trial Court Budget Commission (TCBC), the Court Profiles Advisory Committee, the Trial Court Presiding Judges Advisory Committee, and the Court Administrators Advisory Committee;
- distribute the report for an eight-week comment period

to all trial courts and other interested entities statewide;

- consider adoption of the final report for implementation at the Judicial Council's February 4, 1998, meeting; also on the February agenda will be (1) the recommendation of the Court Profiles Advisory Committee regarding the 1998 list of new judgeships being sought on behalf of the trial courts, taking into account the proposed coordination classification ratings

for the trial courts that will be on the February council meeting agenda, (2) the recommendation of the Trial Court Budget Commission regarding an allocation proposal that recognizes court coordination achievements, taking into account the same proposed coordination classification ratings, and (3) the final statewide Coordination Progress Review results.

● Contact: For copies of the draft *Joint Report on Trial Court Coordination Incentives*, Tracy Vesely, Court Program Services, 415-396-9332 (CALNET 8-531-9332). ■

Tell Us About. . .



YOUR COURT'S INNOVATIVE PROCEDURES, PROGRAMS THAT ARE BENEFITING THE PUBLIC, ACTIVITIES THAT ARE MAKING JUDGES AND STAFF MORE PRODUCTIVE, OUTSTANDING JUDGES AND PERSONNEL AND THEIR ACHIEVEMENTS, AND ANYTHING ELSE YOU'D LIKE TO SHARE;



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National spotlight shines on local courts



Sheila Gonzalez

A Golden State court executive whose dedication to promoting more effective court management knows no bounds, a local court program that promotes a positive message about the justice system to inner-city youth, and a court program in which senior volunteers monitor children placed under guardianship—all three have been honored by the National Association for Court Management (NACM).

NACM, the world's largest association of court professionals, is dedicated to promoting more effective court management through conferences, publications, and committee work.

HIGHEST HONOR

The recipient of NACM's highest honor, the Award of Merit, is Sheila Gonzalez, Executive Director of the Ventura County Superior and Municipal Coordinated Courts. The award is presented each year to someone who "demonstrates leadership and excellence and whose work reflects the NACM goals of excellent administration and application of modern management



Court Briefs

and technological methods."

Executive officer, clerk, and jury commissioner of the Ventura courts since 1989, Gonzalez has been involved as a member and often a leader of more than 50 committees charged with improving the court system in a wide range of categories, such as access to justice, technology, budget, coordination, judicial and nonjudicial education, and futures planning. She was president of NACM during 1994-95 and a recipient of the Judicial Council's prestigious Distinguished Service Award for Judicial Administration in 1996.

OUTSTANDING MODELS

In recognition of outstanding achievement and meritorious projects that enhance the administration of justice, NACM presented 1997 Justice Achievement Award Honorable Mentions to the following programs:

■ The Los Angeles Municipal Court (LAMC), for its First Impressions Project, launched last April to help the community it serves better understand the justice system.

The project involves community residents, LAMC judges, lawyers from justice agencies and multicultural bar associations throughout Los Angeles, Operation Field Trip (an educational partnership between the Los Angeles Unified School District, Laidlaw Transit, Inc., and corporate and community leadership), Laidlaw Corporation, the Constitutional Rights Foundation, and Ticketmaster—"Tickets for Kids." Through First Impressions, lawyers visit classrooms to teach students about the court system; youngsters interact with judges and staff during visits to courthouses, and participate in essay contests on the theme "What I Learned About the Court System" with field trips for prizes. The First Impressions Project was a recipient of the Judicial Council's 1997 Ralph N. Kleps Improvement in the Administration of the Courts Award. It also was honored with an American Bar Association's Partnership Award.

■ The San Francisco Superior Court, for its groundbreaking Child Guardianship Monitoring Program, a joint effort of Probate Court Services and the American Association of Retired Persons initiated in 1994. Trained to serve as the court's eyes and ears, the monitors check up on children upon the appointment of a guardian, follow up with home visits, and make guardians aware of existing community programs that can assist them in better meeting their responsibilities—"providing support for guardians, who are doing a heroic job," says Director of Probate Court Services Mary Joy Quinn. The court appoints about 130 guardians yearly, so the 14 monitors

maintain a busy schedule, yet they describe their interaction with the children and guardians as "very satisfying," says Quinn. The first guardian-monitoring program devoted to children, the San Francisco program has been replicated in counties throughout California to serve adults as well as children.

The awards were presented during NACM's annual meeting in July in Washington, D.C.

Fourth District pioneers oral argument by teleconference

Equipped with today's advanced technology, the Court of Appeal for the Fourth Appellate District is taking giant strides to improve its accessibility.

The court's Division One (San Diego) recently launched its Internet Web site—only the third appellate court in the state to have a site—and Division Three (Santa Ana) for the first time has used teleconferencing for oral arguments in a time- and cost-saving experiment.

Division One's Web site, featuring its most recent published opinions, the current month's oral argument calendar, local rules, and directions to the court, is accessible at www.courtinfo.ca.gov/courtsofappeal/4thDistrictDiv1/. The California Supreme Court (www.courtinfo.ca.gov/supremecourt/) and the Court of Appeal for the Third Appellate District (Sacramento) (www.courtinfo.ca.gov/courtsofappeal/3rdDistrict/index.htm) are the other two appellate Web sites; more than two dozen trial courts in the state have sites. (For a listing of trial court Web sites, visit the Judicial Branch of California Web site at

www.courtinfo.ca.gov, or see Court News, April-May 1997, "Local Courts Go Online," page 6, and June-July 1997, "First District Offers E-mail Access; More Courts Online," page 15.)

By using teleconferencing for the court's oral argument calendar on June 20, Presiding Justice David G. Sills, Justice Edward J. Wallin, and Justice William W. Bedsworth, seated in their courtroom in Santa Ana, were able to hear counsel presenting their arguments from the Fourth Appellate District's Division One in San Diego—about 130 miles away.

Use of the advanced television and telephone system eliminated a half day of driving on Southern California freeways (from San Diego to Santa Ana and back) for all counsel and reduced the costs generally associated with oral argument sessions. Given the efficiency of teleconferencing, Division Three anticipates its continued and expanded use in oral argument calendars.

L.A. to have airport branch municipal court

The Los Angeles Municipal Court's newest branch, to be built adjacent the international airport, will serve as the West's Statue of Liberty, symbolizing justice and freedom for immigrants arriving through the gateway city, said the court's Presiding Judge, Mel Red Recana, at the facility's June 6 groundbreaking ceremony. (See photo below.)

With completion due in September 1999, the 10-story building will include 12 courtrooms, which are expected to serve the municipal court and

Continued on page 15

25 Mini-grants Awarded For Drug Courts

Twenty-five courts have been awarded mini-grants to support new drug courts or expand existing ones following the Judicial Council's approval of recommendations by the Oversight Committee for the California Drug Court Project. The mini-grants are made available through funding from the Edward Byrne Program to the California Office of Criminal Justice Planning.

The following are recipients of the 1997-98 mini-grant awards:

County	Court(s)
Alameda	Berkeley-Albany, San Leandro-Hayward Municipal
	Fremont-Newark-Union City, Pleasanton-Livermore-Dublin Municipal
Butte	San Leandro-Hayward Municipal
El Dorado	Superior/No. Butte/So. Butte
Humboldt	Superior/Municipal
Lake	Superior/Municipal
Los Angeles	Superior (Juvenile) Compton Municipal Inglewood Municipal Los Angeles Municipal Pasadena Municipal Rio Hondo Municipal Southeast Municipal West District—Administratively Unified
Orange	Superior South Orange Municipal
Riverside	Superior/Municipals
San Bernardino	Superior/Municipal—Rancho Division
San Francisco	Superior (Juvenile)
Shasta	Superior/Municipal
Trinity	Superior/Municipal
Tulare	Municipal
Ventura	Superior/Municipal
Yolo	Superior/Municipal

● Contact: Fran Jurcso, 415-396-9151 (CALNET 8-531-9151), or Sandy Claire, 415-396-9112 (CALNET 8-531-9112), Trial Court Services.



Participating in the groundbreaking for the Los Angeles Municipal Court airport branch are, left to right, Court Administrator Frederick "Fritz" Ohlrich, County Supervisors Yvonne Brathwaite Burke and Don Knabe, Judge Alban I. Niles, Presiding Judge Mel Red Recana, Judge Ray L. Hart, Assistant Presiding Judge Veronica S. McBeth, Judge Marilyn L. Hoffman, and Director of Public Works Harry W. Stone. (See story above.) Photo: Albert L. Cortez.

Education & Development

Continued from page 13

relationships between the courts and the communities they serve. It involved some 40 individuals from federal agencies, private foundations, and court and community collaborative programs across the country, including California's William C. Vickrey, Administrative Director of the Courts. Diverse court and community collaborative programs were represented, including the Los Angeles Municipal Court's award-winning First Impressions Project (see "Court Briefs," page 14).

● Contact: For copies of the *Roundtable Discussion on Court and Community Collaboration* and more information about the Community-Focused Courts Development Initiative, call the NCSC at 757-259-1517 or visit its Web site at www.ncsc.dni.us/research/cfc.htm.

CJER leads fairness education

With a rich history of fairness education to build upon, the Center for Judicial Education and Research (CJER) is taking further steps to provide fairness training to judges and court staff. The training, which supplements fairness courses CJER already

offers, is intended to advance the judiciary's shared goal, articulated by Chief Justice Ronald M. George earlier this year, to make "broad-based courses on fairness issues related to race, ethnicity, gender, persons with disabilities, and sexual orientation available to all judges . . . by June 30, 1998, and to all court employees by the end of 1999."

South Bay Municipal Court (San Diego) Judge Ernest Borunda, CJER Governing Committee Vice-Chair, reports that beginning this fall CJER will provide technical assistance in the form of information and materials, including videos, to courts for in-house training. It is also anticipated that staff and trainers will be available for on-site training at court request.

Meanwhile, the governing committee continues to review and evaluate fairness education materials and models from California and national sources to see if they can be adopted for use by the courts. CJER has, in collaboration with the Judicial Council Access and Fairness Advisory Committee, refined courses in the key areas of sexual harassment, sexual orientation, and the Americans with Disabilities Act, and a multiyear project on domestic violence is under way.

In addition, all administrative education courses incorporate a fairness education section, and courses in fairness in the workplace were offered during the Judicial Council-sponsored Mid-Level Management Confer-

ences in San Diego and Sacramento in June. Judge Borunda observes, "Many courses, such as customer service, integrate fairness and diversity as part of the curriculum—wherever the opportunities lend themselves."

During its annual strategic planning session in June, fair-

ness education was a central theme, Judge Borunda reports, noting, "Clearly, we are planning to meet the needs of all our constituencies."

● For information on fairness education programs, contact: CJER, 415-904-5507 (CALNET 8-539-5507). ■

On Fairness Education

Editor's Note: This excerpt from the column "From the Park Bench" is reprinted by permission of Presiding Judge Robert W. Parkin, whose comments regularly appear in Gavel to Gavel, the newsletter of the Los Angeles County Superior Court. The Summer 1997 column discussed a series of fairness education programs held in July and August for Los Angeles County Superior Court bench officers.



Presiding Judge Robert W. Parkin

Some of you may wonder if our judges really need a "fairness awareness program."

The answer might lie in an old Scottish verse:

*O wad some Pow'r
The giftie gi'e us
To see oursel's
As others see us.*

In a telephone survey of California residents several years ago, citizens rated their local police department as being more fair than their local courts. On a scale of one to five, five being least fair, the courts were rated a disappointing three (while the police rated a one). Perhaps surprisingly, this was consistent with the response to the survey given by ethnic and racial minorities.

As judges we often say the appearance of justice is as important as justice itself. The perceptions described by the survey obviously must be addressed. Although I sometimes wonder if truly insensitive people are capable of reeducation, I think I know our own judicial officers well enough to believe that to the extent any such public perception may apply to our court, the insights provided by the upcoming fairness program facilitated by the National Conference will be of great benefit.

By providing a number of opportunities to attend this important program, there should be very little reason why each of us cannot attend. Although it is true that we are independent judicial officers, I would suggest that this program be considered mandatory.

Court Briefs

Continued from page 14

help alleviate the burden at other branches, including Torrance and Santa Monica.

The building also will feature state-of-the art perimeter security; separate elevators to accommodate members of the judiciary, the public, and persons in custody; and parking for 500 vehicles. The sheriff, public defender, alternate public defender, city attorney, and district attorney will maintain offices in the facility.

The \$57 million project is being financed by the Robbins Courthouse Construction Fund, which is funded by penalty assessments on criminal, traffic, and parking fines.

Lake debuts on Internet

The Lake County Superior and Municipal Courts are the latest to have their own Internet Web site. The site lists directions to all the courts including maps, jury services information, and staff contacts. The address is www.courtinfo.ca.gov/trialcourts/lake.

(For a listing of other California court Web sites, see Court News, April–May 1997, "Local Courts Go Online," page 6;

June–July 1997, "First District Offers E-mail Access; More Courts Online," page 15; and "Fourth Appellate District Pioneers Oral Argument by Teleconference," in this issue, page 14.)



JNE Commission seeks applicants

The Commission on Judicial Nominees Evaluation (JNE Commission) is seeking applications for appointments effective January 1, 1998. Commissioners serve one-year terms but may serve up to three consecutive terms.

The deadline for receipt of applications is October 17, 1997.

The commission, established pursuant to Government Code section 12011.5, evaluates all candidates who are under consideration for a judicial appointment by the Governor.

Former members of the judiciary, active members of the

State Bar, and members of the public interested in volunteering to serve on the commission may request application forms from the Appointments Office, State Bar of California, 555 Franklin Street, San Francisco, CA 94102-4498, 415-561-8855 or 213-765-1585. Forms are available through October 17.

Grants to help five courts with pro pers

The Judicial Council approved the award of five \$25,000 grants to the trial courts in Alameda, Sacramento, San Diego, Santa Clara, and Ventura Counties for an innovative program to establish or expand family law help centers.

At the help centers, volunteers or trained staff provide pro pers—individuals not represented by counsel—with on-site legal advice, education about legal procedures, and instructions on how to accurately complete forms.

In May 1998, the end of the grant period, the five courts will develop a guidebook for dissemination to other California courts with information on how pro per litigants were assisted in the courts; the products and services the courts developed; and recommendations for future activities. ■

Reaching Out

The Judicial Council's Special Task Force on Court/Community Outreach has announced its meetings through April 1998 and encourages the public's attendance and participation. All meetings are from 10 a.m. to 3 p.m. A public comment period is provided at each meeting, from 1 to 1:30 p.m., during which time each speaker will be limited to three minutes.

- | | |
|---------|---|
| OCT 20: | Fresno, Four Points Hotel by Sheraton, 3737 North Blackstone |
| NOV 17: | San Francisco, AOC, 303 Second Street, South Tower, 4th Floor |
| 1998 | |
| JAN 14: | Santa Ana, John Wayne Airport, Conference Room |
| FEB 11: | San Francisco, AOC, 303 Second Street, South Tower, 4th Floor |
| MAR 16: | Redding, Best Western Hilltop, 2300 Hilltop Drive |
| APR 13: | Los Angeles, Hyatt Regency, 711 South Hope Street |

● Contact: Persons interested in attending a meeting of the Special Task Force on Court/Community Outreach should call Shelley M. Stump, Planning Coordinator, 415-396-9310 (CALNET 8-531-9310).



Calendar

SAVE THESE DATES

- The 1997 "Beyond the Bench" conference will be held December 10-12 at the Marriott Hotel in San Francisco. (*See box on page 9.*)
- The 1998 California Judicial Administration Conference will be held February 5-7 at the Hyatt Regency Monterey.

JUDICIAL COUNCIL MEETINGS

OCT 17 AOC, San Francisco
NOV 14 AOC, San Francisco

● Contact: Secretariat and Conference Services, 415-396-9347 (CALNET 8-531-9347), e-mail: jcservices@courtinfo.ca.gov.

JUDICIAL EDUCATION

SEP 24-26 Judicial Research Attorneys Institute, Anaheim
OCT 16-17 Retired Judges Institute, Anaheim
OCT 23-25 Civil Law and Procedure Institute, Burlingame
NOV 17-21 Continuing Judicial Studies Program—Fall Session, Burlingame
DEC 11-13 Municipal Courts Institute, Oakland

Computer Classes

All sessions will be held at CJER's San Francisco offices unless otherwise noted. Dates for Los Angeles classes are to be announced.

OCT 2-3
NOV 6-7
DEC 11-12

Orientation Programs

Orientation programs for new trial court judges, commissioners, and referees are scheduled as follows:

SEPT 22-26 OCT 20-24
NOV 17-21 DEC 1-5

Note: Orientation sessions with insufficient enrollment will be canceled. Call CJER for the latest information.

● Contact: CJER, 415-356-6400 (CALNET 8-531-6400).

ADMINISTRATIVE EDUCATION

OCT 14-17 Judicial Administration Institute of California (JAIC) Budget course, Orange County Airport Hilton
NOV 4-5 JAIC Budget course, Double-Tree Hotel, Sacramento
NOV 6-7 JAIC Managing Technology course, DoubleTree Hotel, Sacramento
NOV 13-14 Appellate Staff Continuing Studies Program, Hilton Hotel, San Jose
DEC 11-12 Appellate Employment Symposium, facility and location to be announced

● Contact: Administrative Education, 415-356-6427 (CALNET 8-531-6427).

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